

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**IN RE:**

**SHOW CAUSE PROCEEDING  
AGAINST TALK.COM, INC.**

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**DOCKET NO.  
01-00216**

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**MOTION TO EXCEED DISCOVERY LIMITATION**

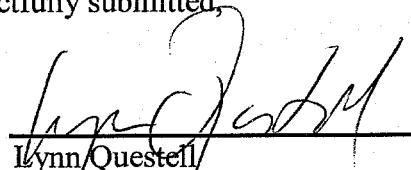
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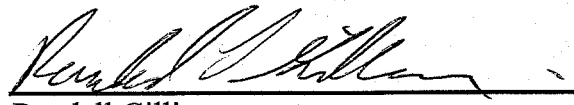
Pursuant to Tenn. Comp. R. & Reg. 1220-1-1-.05 and 1220-1-2-.11, the Consumer Services Division of the Tennessee Regulatory Authority ("TRA"), through counsel, files this Motion to Exceed Discovery Limitation. To the extent that the Pre-Hearing Officer deems the Requests for Admissions filed on January 7, 2002 by the Consumer Services Division to constitute discovery requests within the meaning of Tenn. Comp. R. & Reg. 1220-1-2-.11(5), the Consumer Services Division seeks leave to serve more than forty (40) discovery requests upon Talk.com, Inc. In support of this motion, the Authority states that:

1. Responses to the Requests For Admissions (attached) will eliminate undisputed matters and narrow issues in this matter and thus expedite the disposition of this matter.
2. The number of complaints and the various facts related to each in this matter requires more than forty (40) discovery requests.

3. The Authority has attached a memorandum establishing good cause for the service of additional interrogatories or requests for production.

Respectfully submitted,

  
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Lynn Questell  
Counsel

  
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Randall Gilliam  
Counsel

Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505  
(615) 741-2904 (ext. 198)

## CERTIFICATE OF SERVICE

I, Lynn Questell, hereby certify that I have served a copy of the foregoing Discovery Requests of the Consumer Services Division of the Tennessee Regulatory Authority on the following person by hand delivery or by depositing a copy of the same in the United States Mail, postage prepaid, addressed to them at the addresses shown below, this 2<sup>th</sup> day of January, 2002:

Henry Walker  
Boult, Cummings, Conners & Berry PLC  
414 Union Street, Suite 1600  
Nashville, TN 37219-8062

  
Randal Gilliam